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**UNITED STATES DISTRICT COURT**  
**DISTRICT OF OREGON**  
**EUGENE DIVISION**

**UNITED STATES OF AMERICA**

**Case No. 6:14-CR-00121-MC**

**v.**

**GOVERNMENT'S  
SENTENCING MEMORANDUM**

**Rowan Thomson-Sapstead,**

**Defendant.**

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Sentencing Date: March 31, 2014  
10:00 a.m.

The United States of America, by and through S. Amanda Marshall, United States Attorney for the District of Oregon, and Amy E. Potter, Assistant United States Attorney, hereby submits this sentencing memorandum in anticipation of the plea and sentencing of defendant Rowan Thomson-Sapstead. Defendant is pleading guilty to using an interactive computer service to transmit, request or make other communication that is obscene with a person under the age of 18, in violation of Title 47, United States Code, Section 223(d).

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## **I. FACTUAL BACKGROUND**

On or before January 3, 2014, defendant began communicating using an interactive computer service with the victim who, at the time, was under the age of 18. They engaged in sexually explicit discussions. The victim informed defendant that she was under the age of 18. Defendant requested that the victim send naked photographs of herself and she did. Defendant also sent naked pictures of himself to the victim. Defendant eventually traveled from Canada to Oregon with the intention of having sex with the victim. They had sex in Oregon, which violated state law, and traveled to Nevada without her parent's permission and had sex. Defendant was arrested by state authorities, but he attempted to flee to Canada after he bailed out. He was stopped at the border and returned to the United States to face federal charges.

## **II. GUIDELINES CALCULATIONS**

The parties agree that the following guideline calculation apply in defendant's case:

(1) USSG §2G3.1 – Base Offense Level	10
(2) USSG §2G3.1(b)(1)(E) – Enhancement b/c sex with minor	7
(2) USSG § 3E1.1 – Acceptance of Responsibility	- 3
Total Offense Level	14

Defendant is a criminal history category I, resulting in a guideline range of 15-21 months.

## **III. SENTENCING RECOMMENDATION**

The government recommends a sentence of time-served. Defendant, who has no known criminal history, used the internet to communicate with a vulnerable 17 year old and then traveled to Oregon to have sex with her. After his arrest on state charges, he attempted to flee the country. As a result, he is now a convicted felon, has spent over two months in federal

custody, and will be transferred to immigration custody and be deported from the United States. A time-served sentence in this case is appropriate considering the nature and circumstances of the offense, the need for deterrence, and the history and characteristics of the defendant. *See* 18 U.S.C. § 3553. This sentence punishes defendant and sends a message to others abroad that chatting with minors and traveling to the United States to have sex with them will not go unpunished.

#### **IV. CONCLUSION**

A sentence of time-served is sufficient, but not greater than necessary, to comply with the factors under 18 U.S.C. § 3553(a).

Dated this 28th day of March 2014.

Respectfully submitted,

S. AMANDA MARSHALL  
United States Attorney

/s/ Amy E. Potter  
AMY E. POTTER  
Assistant United States Attorney